



U.S. Department of Justice

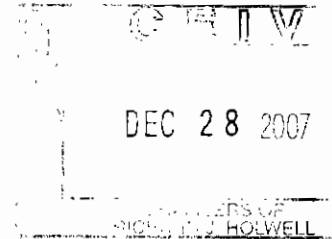
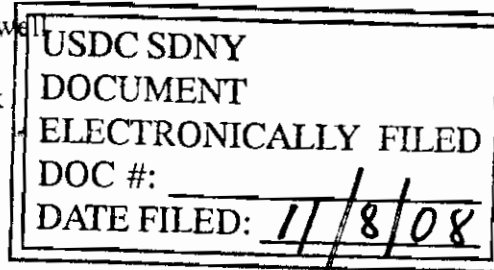
*United States Attorney
Southern District of New York*

*86 Chambers Street, 3rd Floor
New York, New York 10007*

December 28, 2007

BY FAX 212.805.7948

The Honorable Richard J. Holwell
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007
Telephone: 212.805.0256
Facsimile: 212.805.7948



Re: *Nunez v. United States of America*, 07 Civ. 3795 (RJH)

Dear Judge Holwell:

I write respectfully to request an extension of the discovery schedule in this case. The Government propounded discovery requests to the plaintiff on October 30, 2007. The plaintiff has not yet responded. Fact discovery is scheduled to close in this case on January 15, 2008. Before deposing the plaintiff, the Government needs to obtain responses to its discovery requests. The Government will also need time to subpoena the plaintiff's medical records.

In light of the foregoing, the Government requests the following changes to the scheduling order:

1. The close of fact discovery from January 15, 2008 to February 29, 2008.
2. The due date for Rule 26(a)(2) disclosures, including expert reports, from January 15, 2008 to February 29, 2008.
3. The close of expert discovery from February 22, 2008 to April 11, 2008.
4. The due date for case dispositive motions from March 7, 2008 to May 1, 2008.
5. The final pre-trial order from March 13, 2008 to May 9, 2008.
6. The trial ready date from May 12, 2008 to July 1, 2008.

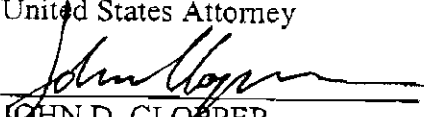
Plaintiff's counsel consents to this request for an extension of the discovery schedule. In addition, the Court has currently scheduled a status conference in this case for January 18, 2008 at 10:00 a.m. Government counsel requests that the conference be deferred until the close of fact discovery, at a date and time convenient for the Court.

Thank you for your consideration of this matter.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

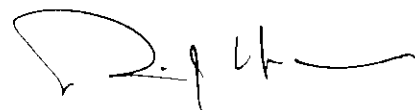
By:


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Appellate Granted
Conference adjourned
to 3/14/08 at 10:00
a.m.

SO ORDERED


US DJ
1/7/08